

STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.

☒ Valuation of Security ☐ Assumption of Executory Contract or Unexpired Lease ☒ Lien Avoidance

Last revised: September 1, 2018

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In Re: Case No.: 17-34451
Donzella Mears Judge: ABA
Debtor(s)

Chapter 13 Plan and Motions

☐ Original ☒ Modified/Notice Required Date: 6/10/2019
☒ Motions Included ☐ Modified/No Notice Required

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE

YOUR RIGHTS MAY BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

The following matters may be of particular importance. Debtors must check one box on each line to state whether the plan includes each of the following items. If an item is checked as "Does Not" or if both boxes are checked, the provision will be ineffective if set out later in the plan.

THIS PLAN:

☐ DOES ☒ DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

☒ DOES ☐ DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

☐ DOES ☒ DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney: /s/ SW Initial Debtor: /s/ DM Initial Co-Debtor: /s/

Part 1: Payment and Length of Plan

a. The debtor shall pay \$ 440.00 per month to the Chapter 13 Trustee, starting on July 1, 2019 for approximately 42 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

☒ Future earnings

☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

☐ Sale of real property

Description:

Proposed date for completion: _____

☐ Refinance of real property:

Description:

Proposed date for completion: _____

☐ Loan modification with respect to mortgage encumbering property:

Description:

Proposed date for completion: _____

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection ☐ NONE

- a. Adequate protection payments will be made in the amount of \$ _____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).
- b. Adequate protection payments will be made in the amount of \$ _____ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

- a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
CHAPTER 13 STANDING TRUSTEE	ADMINISTRATIVE	AS ALLOWED BY STATUTE
ATTORNEY FEE BALANCE	ADMINISTRATIVE	BALANCE DUE: \$ 2,960.00+300.00
DOMESTIC SUPPORT OBLIGATION		
Internal Revenue Service	Taxes	Notice Only
State of New Jersey	Taxes	Notice Only

- b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:
Check one:

☒ None

☐ The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

Creditor	Type of Priority	Claim Amount	Amount to be Paid
	Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount.		

Part 4: Secured Claims

a. Curing Default and Maintaining Payments on Principal Residence: ☒ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: ☒ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

c. Secured claims excluded from 11 U.S.C. 506: ☒ NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation

d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments ☐ **NONE**

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

**NOTE: A modification under this Section ALSO REQUIRES
the appropriate motion to be filed under Section 7 of the Plan.**

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid
Peritus Portfolio Services	2009 Nissan Murano	\$6,488.00	\$4,625.00	none	\$6,488.00	5%	\$7,346.40

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

e. Surrender ☐ **NONE**

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
Reverse Mortgage Solutions	2673 Main Rd Franklinville, NJ 08322	\$165,784.00	\$0.00

f. Secured Claims Unaffected by the Plan ☒ **NONE**

The following secured claims are unaffected by the Plan:

Caliber Home Loans-48 Coachlight Drive Sicklerville, NJ 08081. Debtor is in an active trial payment plan with the Caliber Home Loans to permanently modify the mortgage.

g. Secured Claims to be Paid in Full Through the Plan: ☐ **NONE**

Creditor	Collateral	Total Amount to be Paid Through the Plan
Camden County MUA	48 Coachlight Dr. Sicklerville, NJ 08081	\$1,099.81
Wilsons Corner Proprietary Assoc	48 Coachlight Dr. Sicklerville, NJ 08081	\$9,540.34

Part 5: Unsecured Claims ☐ **NONE**

a. Not separately classified allowed non-priority unsecured claims shall be paid:

☒ Not less than \$ 0.00 to be distributed *pro rata*

☐ Not less than _____ percent

☐ *Pro Rata* distribution from any remaining funds

b. Separately classified unsecured claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid

Part 6: Executory Contracts and Unexpired Leases ☒ NONE

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:

Creditor	Arrears to be Cured in Plan	Nature of Contract or Lease	Treatment by Debtor	Post-Petition Payment

Part 7: Motions ☒ NONE

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service, Notice of Chapter 13 Plan Transmittal and valuation* must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f). ☒ NONE

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided

b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured. ☒ **NONE**

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. ☐ **NONE**

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured
Peritus Portfolio Services	2009 Nissan Murano	\$6488.00	\$4625.00	\$7346.40	\$858.40

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

☒ Upon confirmation

☐ Upon discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Standing Trustee shall pay allowed claims in the following order:

- 1) Ch. 13 Standing Trustee commissions
- 2) Priority Claims
- 3) Secured Claims
- 4) Unsecured Claims

d. Post-Petition Claims

The Standing Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification ☐ NONE

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being modified: 6/10/2019.

Explain below **why** the plan is being modified:

To list the debt with Caliber Home Loans as unaffected by the Plan. The Debtor is in an active trial payment plan with the mortgage company to permanently modify the mortgage.

Explain below **how** the plan is being modified:

To list the debt with Caliber Home Loans as unaffected by the Plan. The Debtor is in an active trial payment plan with the mortgage company to permanently modify the mortgage.

Are Schedules I and J being filed simultaneously with this Modified Plan?

☐ Yes

☒ No

Part 10: Non-Standard Provision(s): Signatures Required

Non-Standard Provisions Requiring Separate Signatures:

☒ NONE

☐ Explain here:

Any non-standard provisions placed elsewhere in this plan are ineffective.

Signatures

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

By signing and filing this document, the debtor(s), if not represented by an attorney, or the attorney for the debtor(s) certify that the wording and order of the provisions in this Chapter 13 Plan are identical to Local Form, *Chapter 13 Plan and Motions*, other than any non-standard provisions included in Part 10.

I certify under penalty of perjury that the above is true.

Date: 6/10/2019

/s/ Donzella Mears
Debtor

Date: _____

/s/
Joint Debtor

Date: 6/10/2019

/s/Seymour Wasserstrum
Attorney for Debtor(s)

Certificate of Notice Page 11 of 12

United States Bankruptcy Court
District of New JerseyIn re:
Donzella Mears
DebtorCase No. 17-34451-ABA
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1

User: admin
Form ID: pdf901Page 1 of 2
Total Noticed: 33

Date Rcvd: Jun 12, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 14, 2019.

db +Donzella Mears, 48 Coachlight Drive, Sicklerville, NJ 08081-5606
 cr +Members 1st of NJ Federal Credit Union, McKenna, DuPont, Higgins & Stone, PO Box 610,
 229 Broad Street, Red Bank, NJ 07701-2009
 cr +U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER, Stern & Eisenberg, PC,
 1040 N. Kings Highway, Suite 407, Cherry Hill, NJ 08034-1925
 cr +Wilton's Corner Proprietary Association, 60 Meetinghouse Circle,
 Sicklerville, NJ 08081-4894
 517860263 +BANK OF AMERICA, N.A., Reverse Mortgage Solutions, Inc., 14405 Walters Road, Suite 200,
 Houston TX 77014-1345
 517831598 +Bank of America, N.A., Robertson, Anschutz & Schneid, P.L., 6409 Congress Ave., Suite 100,
 Boca Raton, FL 33487-2853
 517212274 +Caliber Home Loans, PO Box 619063, Dallas, TX 75261-9063
 517323425 +Camden County MUA, 1645 Ferry Avenue, Camden, NJ 08104-1311
 517212276 +Financial Recoveries, 200 E Park Drive Ste 100, Mount Laurel, NJ 08054-1297
 517212282 +KML Law Group, PC, 216 Haddon Ave, Ste 406, Collingswood, NJ 08108-2812
 517212283 +Members 1st Of NJ, 37 W. Landis Ave, Vineland, NJ 08360-8122
 517212285 Office Of Attorney General, 25 Market Street, PO Box 112, Richard J Hughes Justice Complex,
 Trenton, NJ 08625-0112
 517212286 +Regional Sewer Service, PO Box 1105, Bellmawr, NJ 08099-5105
 517212288 ++STATE OF NEW JERSEY, DIVISION OF TAXATION BANKRUPTCY UNIT, PO BOX 245,
 TRENTON NJ 08646-0245
 (address filed with court: State Of New Jersey, P.O. Box 245,
 Dept Of Treasury-Division Of Taxation, Trenton, NJ 08695-0245)
 517212287 +Shivers, Gosnay, & Greatrex LLC, 1415 Rt 70, C/O Willow Ridge Homeowners Association,
 Cherry Hill, NJ 08034-2210
 517212290 +State of New Jersey, Dept of Human Services, PO Box 700, Trenton, NJ 08625-0700
 517212289 +State of New Jersey, PO Box 700, Dept of Human Services, Trenton, NJ 08625-0700
 517212291 Wilton's Conrer Proprietary Association, JB Management Service, Phoenix, AZ 85082
 517235672 +Wilton's Corner Proprietary Association, c/o George C. Greatrex, Jr., Esquire,
 Shivers, Gosnay & Greatrex, LLC, 1415 Route 70 East, Suite 309, Cherry Hill, NJ 08034-2210

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

smg E-mail/Text: usanj.njbankr@usdoj.gov Jun 13 2019 00:55:22 U.S. Attorney, 970 Broad St.,
 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
 smg +E-mail/Text: ustpregion03.ne.ecf@usdoj.gov Jun 13 2019 00:55:18 United States Trustee,
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
 Newark, NJ 07102-5235
 517328030 E-mail/PDF: resurgentbknofications@resurgent.com Jun 13 2019 00:51:22
 Ashley Funding Services, LLC its successors and, assigns as assignee of Laboratory,
 Corporation of America Holdings, Resurgent Capital Services, PO Box 10587,
 Greenville, SC 29603-0587
 517267627 +E-mail/Text: bnc@atlasacq.com Jun 13 2019 00:54:08 Atlas Acquisitions LLC, 294 Union St.,
 Hackensack, NJ 07601-4303
 517212275 +E-mail/PDF: gecsedirecoverycorp.com Jun 13 2019 00:51:06 Care Credit, PO Box 981439,
 El Paso, TX 79998-1439
 517212277 E-mail/Text: bnc-bluestem@quantum3group.com Jun 13 2019 00:55:57 Fingerhut, Po Box 166,
 Newark, NJ 07101-0166
 517212279 E-mail/Text: cio.bncmail@irs.gov Jun 13 2019 00:54:34 IRS, PO Box 725,
 Special Procedures Function, Springfield, NJ 7081
 517212281 E-mail/Text: JCAP_BNC_Notices@jcap.com Jun 13 2019 00:55:36 Jefferson Capital,
 16 McLeland Rd, Saint Cloud, MN 56303
 517217288 E-mail/Text: JCAP_BNC_Notices@jcap.com Jun 13 2019 00:55:36 Jefferson Capital Systems LLC,
 Po Box 7999, Saint Cloud Mn 56302-9617
 517329958 E-mail/Text: laura@redbanklaw.com Jun 13 2019 00:54:07
 Members 1st of NJ Federal Credit Union, C/O McKenna, DuPont, Higgins & Stone, PC,
 PO Box 610, Red Bank, NJ 07701-0610
 517212284 +E-mail/Text: bankruptcydpt@mcsmcg.com Jun 13 2019 00:55:17 Midland Funding,
 8875 Aero Dr, Ste 200, San Diego, CA 92123-2255
 517330730 +E-mail/Text: peritus@ebn.phinsolutions.com Jun 13 2019 00:56:16
 Peritus Portfolio Services II, LLC, P.O. Box 141419, Irving, TX 75014-1419
 517213848 +E-mail/PDF: gecsedirecoverycorp.com Jun 13 2019 00:48:54 Synchrony Bank,
 c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 517329330 +E-mail/Text: ECMBKMail@Caliberhomeloans.com Jun 13 2019 00:56:18
 U.S. Bank Trust, N.A., as Trustee for LSF9 Master, c/o Caliber Home Loans,
 13801 Wireless Way, Oklahoma City OK 73134-2500

TOTAL: 14

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

517212273 C & S Auto Enterprises, INC, 101 Crescent BLVD, NJ 08303

District/off: 0312-1

User: admin
Form ID: pdf901

Page 2 of 2
Total Noticed: 33

Date Rcvd: Jun 12, 2019

cr* +Bank of America, N.A., Robertson, Anschutz & Schneid, P.L., 6409 Congress Ave., Suite 100,
Boca Raton, FL 33487-2853
517212278* IRS, PO Box 744, Springfield, NJ 07081-0744
517212280* +Irs, P.O. Box 7346, Philadelphia, PA 19101-7346

TOTALS: 1, * 3, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 14, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 10, 2019 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor LSF9 Master Participation Trust
dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
George C. Greatrex, Jr. on behalf of Creditor Wilton's Corner Proprietary Association
ggreatrex@sgglawfirm.com, kmuchler@verizon.net
Harold N. Kaplan on behalf of Creditor Bank of America, N.A hkaplan@rasnj.com,
informationathnk@aol.com
Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com
Isabel C. Balboa on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com,
summarymail@standingtrustee.com
Kevin M. Buttery on behalf of Creditor U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER
PARTICIPATION TRUST bkyefile@rasflaw.com
Michael R. DuPont on behalf of Creditor Members 1st of NJ Federal Credit Union
dupont@redbanklaw.com, dana@redbanklaw.com
Rebecca Ann Solarz on behalf of Creditor LSF9 Master Participation Trust
rsolarz@kmlawgroup.com
Seymour Wasserstrum on behalf of Debtor Donzella Mears mylawyer7@aol.com, ecf@seymourlaw.net
Sindi Mncina on behalf of Creditor U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER
PARTICIPATION TRUST smncina@rascrane.com
Steven P. Kelly on behalf of Creditor U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER
PARTICIPATION TRUST skelly@sterneisenberg.com, bkecf@sterneisenberg.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 12